

UNITED STATES COAST PILOT CORRECTIONS

**COAST PILOT 8 23 Ed 1999 Change No. 7
LAST NM 13/01**

Page 73—Paragraph 1286; read:

(a) *Commercial fishing: authorizations, closures and restrictions*—(1) *What terms do I need to know?* (i) *Commercial fishing* means conducting fishing activities under the appropriate commercial fishing permits and licenses as required and defined by the State of Alaska.

(ii) *Glacier Bay* means all marine waters within Glacier Bay National Park, including coves and inlets, north of an imaginary line drawn from Point Gustavus to Point Carolus.

(iii) *Outer waters* means all of the non-wilderness marine waters of the park located outside of Glacier Bay.

(2) *Is commercial fishing authorized in the marine waters of Glacier Bay National Park?* Yes—Commercial fishing is authorized within the outer waters of the park and within the non-wilderness waters of Glacier Bay, subject to the provisions of this chapter.

(i) Commercial fishing shall be administered pursuant to A cooperatively developed State/federal park fisheries management plan, international conservation and management treaties, and existing federal and Non-conflicting State law. The management plan shall provide for the protection of park values and purposes, the prohibition on any new or expanded fisheries, and the opportunity to study marine resources.

(ii) Commercial fishing or conducting an associated buying or processing operation in wilderness waters is prohibited.

(iii) A new or expanded fishery is prohibited. The Superintendent shall compile a list of the existing fisheries and gear types used in the outer waters and follow the procedures in §§1.5 and 1.7 of this chapter to inform

(iv) Maps and charts showing which marine areas of Glacier Bay are closed to commercial fishing are available from the Superintendent.

(3) *What types of commercial fishing are authorized in Glacier Bay?* Three types of commercial fishing are authorized in Glacier Bay non-wilderness waters: longline fishing for halibut; pot and ring fishing for Tanner crab; and trolling for salmon.

(i) All other commercial fishing, or a buying or a processing operation not related to an authorized fishery is prohibited in Glacier Bay.

(ii) On October 1, 2000, each fishery will be limited to fishermen who qualify for a non-transferable commercial fishing lifetime access permit (see paragraph (a)(4) of this section). Commercial fishing without a permit issued by the superintendent, or other than in accordance with the terms and conditions of the permit, is prohibited.

(iii) The Superintendent shall include in a permit the terms and conditions that the superintendent deems necessary to protect park resources. Violating a term or condition of the permit is prohibited.

(4) *Who is eligible for a Glacier Bay commercial fishing lifetime access permit?* A Glacier Bay commercial

fishing lifetime access permit will be issued by the superintendent to fishermen who have submitted documentation to the superintendent, on or before October 1, 2000, which demonstrates to the satisfaction of the superintendent that:

(i) They possess valid State limited entry commercial fishing permits for the district or statistical area encompassing Glacier Bay for each fishery for which a lifetime access permit is being sought; and,

(ii) They have participated as limited entry permit holders for the district or statistical area encompassing Glacier Bay for each fishery for which a lifetime access permit is being sought.

(A) For the Glacier Bay commercial halibut fishery, the Applicant must have participated as a permit holder for at least two years during the period 1992-1998.

(B) For the Glacier Bay salmon or Tanner crab commercial fisheries, the applicant must have participated as a permit holder for at least three years during the period 1989-1998.

(5) *What documentation is required to apply for a commercial fishing lifetime access permit?* The required documentation includes:

(i) The applicant's full name, date of birth, mailing address and phone number;

(ii) A notarized affidavit, sworn by the applicant, attesting to his or her history of participation as a limited permit holder in Glacier Bay, during the qualifying period, for each fishery for which a lifetime access permit is being sought;

(iii) A copy of the applicant's current State of Alaska limited entry permit and in the case of halibut an International Pacific Halibut Commission quota share, that is valid for the area that includes Glacier Bay, for each fishery for which a lifetime access permit is sought;

(iv) Proof of the applicant's permit and quota share history for the Glacier Bay fishery during the qualifying period;

(v) Documentation of commercial landings for the Glacier Bay fishery during the qualifying periods, i.e., within the statistical unit or area that includes Glacier Bay: for halibut, regulatory sub-area 184; for Tanner crab, statistical areas 114-70 through 114-77. For salmon, the superintendent will consider landing reports from District 114; however, the superintendent may require additional documentation that supports the applicant's declaration of Glacier Bay salmon landings. For halibut and Tanner crab, the superintendent may consider documented commercial landings from the unit or area immediately adjacent to Glacier Bay (in Icy Strait) if additional documentation supports the applicant's declaration that landings occurred in Glacier Bay.

(vi) Any additional corroborating documentation that might assist the superintendent in a timely determination of eligibility for the access permits.

(6) *Where should the documentation for a lifetime access permit be sent?* Before October 1, 2000, all required information (as listed in paragraph (a)(5) of this section) should be sent to: Superintendent, Attn: Access Permit Program, Glacier Bay National Park and Preserve,

P.O. Box 140, Gustavus, Alaska 99826.

(7) *Who determines eligibility?* The superintendent will make a written determination of a applicant's eligibility for the lifetime access permit based on information provided. A copy of the determination will be mailed to the applicant. If additional information is required to make an eligibility determination, the applicant will be notified in writing of that need and be given an opportunity to provide it.

(8) *Is there an appeals process if a commercial fishing lifetime access permit application is denied?* Yes—If an applicant's request for a commercial fishing lifetime access permit is denied, the superintendent will provide the applicant with the reasons for the denial in writing within 15 days of the decision. The applicant may appeal to the Regional Director, Alaska Region, within 180 days. The appeal must substantiate the basis of the applicant's disagreement with the Superintendent's determination. The Regional Director (or his representative) will meet with the applicant to discuss the appeal within 30 days of receiving the appeal. Within 15 days of receipt of written materials and the meeting, if requested, the Regional Director will affirm, reverse, or modify the Superintendent's determination and explain the reasons for the decision in writing. A copy of the decision will be forwarded promptly to the applicant and will be the final agency action.

(9) *How often will commercial fishing lifetime access permit be renewed?* The superintendent will renew lifetime access permit at 5-year intervals for the lifetime of a permittee who continues to hold a valid State limited entry commercial fishing permit, and for halibut an International Pacific Halibut Commission quota share, and is otherwise eligible to participate in the fishery under federal and State law.

(10) *What other closures and restrictions apply to commercial fishermen and commercial fishing vessels?*—The following are prohibited:

(i) Commercial fishing in the waters of Geikie, Tarr, Johns Hopkins and Reid Inlets.

(ii) Commercial fishing in the waters of the west arm of Glacier Bay north of 58°50'N latitude, except commercial fishermen who have been authorized by the superintendent to troll for salmon may troll for king salmon during the period October 1 through April 30, in compliance with state commercial fishing regulations.

(iii) Commercial fishing in the east arm of Glacier Bay, north of an imaginary line running from Point Caroline through the southern point of Garforth Island and extending to the east side of Muir Inlet, except commercial fishermen who have been authorized by the superintendent to troll for salmon may troll for king salmon south of 58°50'N latitude during the period October 1 through April 30, in compliance with state commercial fishing regulations.

(36 CFR 13.65)

26/01

Page 76—Paragraphs 1378 to 1379; read:

(5)-(6) [Reserved]

(36 CFR 13.65)

26/01

Page 251—Paragraph 99, lines 2 to 3; read:

Island, is marked by **Point Adolphus Light** (58°17'12"N., 135°47'00"W.), 20 feet above the water and shown from a small ...

(LL/00)

26/01

Page 259—Paragraph 241, lines 7 to 8; read:

(58°10'18"N., 135°15'30"W.), 69 feet above the water, is shown from a radio tower at the S end of the N island. An aero radiobeacon ...

(LL/00; 39/00 CG17)

26/01

COAST PILOT 8 23 Ed 1999 Change No. 8

Page 43—Paragraphs 252 to 255, line 1; read:

(6) Each barge.

(7) Each public vessel.

(8) United States or Canadian flag vessels, except tank ...

(CL 1112/2000; FR 6/29/2000)

26/01

Page 183—Paragraph 88, line 6 to Paragraph 89, line 7; read:

the ice field. Both glaciers, **Sawyer Glacier** and **South Sawyer Glacier**, can be very active, and huge blocks of ice fall off their faces into very deep water. These can generate waves that have been observed as high as 25 feet; however, a small boat can ride the waves safely if it keeps a few miles distance from the glacier face and avoids getting packed in the ice flow. It is recommended that vessels use extreme caution and avoid navigating in proximity to the glacier faces. In the N branch of Tracy Arm, which extends from **Sawyer Island** (57°52'45"N., 133°11'25"W.) to Sawyer Glacier, there is a shoal area on the E side of the arm which reaches a minimum depth of 0.8 fathom at MLLW and extends to 57°53'44"N., 133°10'51"W. (about 300 yards from a waterfall on shore). Caution is advised in this area. Tracy Arm, with its deep water, numerous waterfalls, and bold shores, is one of the outstanding fjords of SE Alaska.

The entrance to the arm is about 1.75 miles wide. The navigable channel, only 0.4 mile wide, has a depth of 6.5 fathoms and is marked by two unlighted buoys, a **215'** lighted range on the NE end of Harbor Island, a light on the E shore of the arm, and heavy kelp beds in the summer on the SE side. Both the buoys and lighted ranges are seasonal. The buoys may become submerged during periods of strong current. Tidal swirls, in conjunction with very strong currents, will be met in the entrance except at slack water. Caution ...

(CL 685/00; NOS 17311)

26/01